



IN THE COMPETITION
APPEAL TRIBUNAL

Case No. 1700/4/12/24

BETWEEN:

SPREADEX LIMITED

Applicant

– and –

COMPETITION AND MARKETS AUTHORITY

Respondent

CONFIDENTIALITY RING ORDER

UPON reading the Notice of Application lodged by the Applicant under section 120 of the Enterprise Act 2002

AND UPON the Parties having agreed the terms of this order

IT IS ORDERED BY CONSENT THAT:

1. This Order becomes effective in respect of each of the persons named in Part A of the Schedule to this Order (including persons subsequently admitted to the Confidentiality Ring pursuant to paragraph 4 of this Order) only upon receipt by the Tribunal of a signed undertaking in the terms of Part B of the Schedule to this Order.
2. For the purposes of this Order:
 - (a) “**Confidentiality Ring**” means:
 - (i) all those External Advisers who have signed an undertaking to the Tribunal in the terms of Part B of the Schedule to this Order, of which a copy has been provided to the Tribunal; and
 - (ii) the Competition and Markets Authority (“**CMA**”).
 - (b) “**Confidential Information**” is defined as information:

- (i) over which confidential treatment has been claimed; and
- (ii) justifying confidential treatment by the Tribunal in accordance with Rule 101 of the Tribunal Rules,

which is contained in any pleadings or other documents submitted, or to be submitted, by the Parties to the present proceedings before the Tribunal.

(c) “**External Advisers**” are those persons:

- (i) listed in Part A of the Schedule to this Order who have given a signed undertaking to the Tribunal in the terms of Part B of the Schedule to this Order; or
- (ii) subsequently added to the lists in Part A after being admitted to the ring in accordance with paragraph 4 below and who have given a signed undertaking to the Tribunal in the terms of Part B of the Schedule to this Order.

(d) “**Party**” or “**Parties**” are the Applicant, the Respondent, and any persons to whom the Tribunal has granted permission to intervene.

(e) “**Support Staff**” are any colleagues of an External Adviser who reasonably require access to any Confidential Information for the purpose of providing administrative or technological assistance to the Authorised Adviser.

3. All pleadings and other documents served in these proceedings must be marked so as to indicate the parts in relation to which confidential treatment is claimed, in the manner referred to in paragraph 7.46 of the Tribunal’s Guide to Proceedings 2015. A system of colour-coding shall be used to indicate to which entity the confidential information belongs (or such other system as the Parties shall agree where colour-coding is considered unworkable). Any Confidential Information contained within those pleadings and documents shall be disclosed only to the External Advisers listed in Part A of the Schedule to this Order and who have signed an undertaking to the Tribunal and to the Parties in the terms of Part B of the Schedule to this Order (under which they may, but only in accordance with such terms, disclose Confidential Information to relevant Support Staff).

4. If any Party wishes to add any additional person as an External Adviser for the purposes of paragraph 2(c) of this Order, they may either:
 - (a) Obtain the written consent of the other Parties to the admission of that individual to the Confidentiality Ring and inform the Tribunal in writing accordingly (copying the representatives of the other parties); or
 - (b) Apply to the Tribunal for an order authorising the admission of that individual to the Confidentiality Ring.
5. If any Party wishes one of its External Advisers to be removed from the Confidentiality Ring, they shall inform the Tribunal in writing (copying the representatives of the other Parties).
6. When an External Adviser is admitted to or removed from the Confidentiality Ring, the relevant Party will provide to the Tribunal (and circulate to the Parties) an up-to-date list of the persons in Part A of the Schedule to this Order.
7. The Parties shall make available without charge to any person on request an up-to-date list of the persons in Part A of the Schedule to this Order.
8. Costs be reserved.
9. There be liberty to apply.

Mr Justice Saini

Chair of the Competition Appeal Tribunal

Made: 29 January 2025

Drawn: 31 January 2025